

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**DONALD H. AYERS,**

**Petitioner,**

**v.**

**UNITED STATES OF AMERICA,**

**Respondent.**

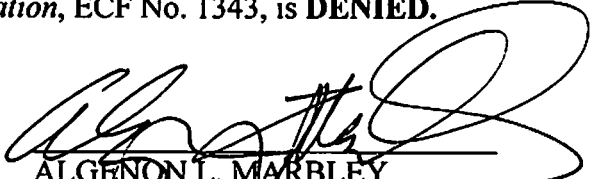
**Civ. No. 2:13-cv-892  
Crim. No. 2:06-cr-129(3)  
Judge Marbley  
Magistrate Judge King**

**ORDER**

On May 11, 2015, the United States Magistrate Judge denied Petitioner's *Motion to Authorize Discovery*, ECF No. 1309. *Opinion and Order*, ECF 1339. This matter is now before the Court on Petitioner's request for reconsideration of that *Opinion and Order. Request for Reconsideration*, ECF No. 1343.

In denying Petitioner's request for discovery, the Magistrate Judge concluded that Petitioner's claims can be resolved on the record already before this Court, without the need for additional discovery, and that Petitioner's request for discovery constitutes the type of fishing expedition that is disfavored under the provisions of Rule 6(a) of the Rules Governing Section 2255 Proceedings in the United States District Courts. *See generally Opinion and Order*, ECF 1339. *See also Stanford v. Parker*, 266 F.3d 442, 460 (6th Cir. 2001); *Williams v. Bagley*, 380 F.3d 932, 974 (6<sup>th</sup> Cir. 2004). Nothing stated in Petitioner's *Request for Reconsideration* persuades this Court that the decision of the Magistrate Judge was either clearly erroneous or contrary to law. *See* 28 U.S.C. § 636; Fed. R. Civ. P. 72.

Accordingly, Petitioner's *Request for Reconsideration*, ECF No. 1343, is **DENIED**.

  
ALGENON L. MARBLEY  
United States District Judge